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JUN 25 2004

OFFICE OF PETITIONS

In re Application of :
Ross et al. :
Application No. 10/631,304 : DECISION ACCORDING STATUS
Filed: July 31, 2003 : UNDER 37 CFR 1.47(a)
Attorney Docket No. HTEC-014/01US :
For: Respiratory Analyzer For :
Exercise Use :

This is in response to the petition under 37 CFR 1.47(a), filed April 27, 2004. Applicants obtained a four-month extension of time to reply. Accordingly, the petition is filed timely.

The petition is granted.

Petitioner has shown that James R. Mault, the non-signing inventor, has refused to join in the filing of the above-identified application after having been presented with the application papers. Specifically, the Declaration of Facts of Craig A. Neugeboren establishes that the inventor was presented with the application papers, including the specification, claims and drawings, but failed to respond to the request that he sign the declaration.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the present petition. Notice of the filing of this application will also be published in the Official Gazette.

The application file is being forwarded to Technology Center 3700 for examination in due course.

Telephone inquiries regarding this decision should be directed to the undersigned at (703) 306-5589.

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